

# Community prisons

Andrew Coyle describes a vision of prisons as smaller, rehabilitative and locally accountable.

**W***hat has been will be again, what has been done will be done again; there is nothing new under the sun. Ecclesiastes 1:9*

One consequence of having an interest in penal history, or even of being around prisons for any length of time, is that one sees the same ideas, many of them good ideas, coming round for a second or even a third time. One such is the concept of community prisons. In his masterly analysis of the prison system in England and Wales in the aftermath of the riots of 1990, Lord Woolf made 12 principal recommendations. One of these was “better prospects for prisoners to maintain their links with families and the community through more visits and home leaves and through being located in community prisons as near to their homes as possible” (Home Office, 1991, para 1.167).

In the body of his report (paras 11.49 – 11.68), Woolf elaborated on what he had in mind in recommending “community prisons sited within reasonable proximity to, and having close connections with, the community with which the prisoners they hold have their closest links”. He described in detail how this would make it easier for families to visit; how it would facilitate access to courts and lawyers; the advantages of having staff who came from the same areas as prisoners to “make it easier for (them) to understand and relate to their prisoners”. He also foresaw that it would be easier to prepare prisoners for release: arrangements could be made for support in the community, for accommodation and for employment. “Medical treatment, education and training” would also be more effective.

Woolf recommended that community prisons should hold remand and sentenced prisoners and that they should be available for women and for young offenders. He recognised that it would not be possible to implement his proposals immediately because of the existing location of prisons, many of them in rural areas, with three, for example, on the Isle of Wight, and with the shortage of places in London. In the short and medium term Woolf recommended that prisons could be clustered within a particular locality or area so that the majority of prisoners could at least be kept within a given area. He envisaged that over time it would be possible to reduce the geographical size of the clusters.

In the White Paper which it published in response to the Woolf Report the Home Office accepted these recommendations and described in broad terms how it intended to implement them (Home Office, 1991, paras 5.13 – 5.16).

Fast forward to September 2005 when Charles Clarke, then halfway through his short stint as Home Secretary, delivered his vision for the future of where prisons should be located and how they should operate:

“First, remand prisoners should wherever possible be held separately from sentenced prisoners, whether in separate prisons or in remand wings. They should be located close to courts, for example in good community prisons, which would help to speed up the whole court process.

Second, we should aim to provide good local community prisons which allow individuals to maintain family and community ties and have the ability to provide excellent support and interventions in the way I have described above. I see these prisons becoming far more engaged with their local communities, and better at building relationships with a wide variety of other organisations of the type which I described earlier.

Third, our priority must be to locate remand prisoners and those on sentences of less than four years (about 48 per cent of all sentenced prisoners) in such local community or remand prisons...

Fourth, for the most dangerous and very long term prisoners, our priority must be to provide a very secure environment. This can be provided by a relatively small number of institutions with staff with particular skills.

Finally, particular attention needs to be given to prisoners with particular characteristics such as women or young people, or particular problems such as substance abuse or mental health” (Clarke, 2005).

So, the Home Secretary’s very sensible plan in 2005 to create a network of community prisons was in effect dusting off the same proposals made many years previously by Lord Woolf and accepted by the Home Office almost 14 years before. What had happened in the meantime to prevent the implementation of the 1991 proposals? In Harold Macmillan’s immortal phrase, “Events, dear boy, events”. But that is a story for another day. A more important question for this day concerns what needs to be done to give the current proposals a greater likelihood of being implemented.

Recognising the reality that prisons are where they are, in the short term the answer is to follow Woolf’s advice by grouping prisons in clusters. That process has already been started with the clustering of three prisons on the Isle of Sheppey, although account also needs to be taken of Woolf’s insistence that women and young offenders should also have access to these arrangements. However,

even in the short term this arrangement will only work if heed is taken of the only one of Woolf's 12 principal recommendations that was not accepted by the Government in 1991. This was that each prison should hold only the number of prisoners for which it had certified accommodation and that any excess would require the specific authority for a period of up to three months of the Secretary of State, who would be required to notify Parliament that he had given this. When he was Lord Chief Justice, Woolf described overcrowding as the cancer of the prison system. So it remains and, like cancer, without radical treatment it is getting continually worse, affecting the whole body of the Prison Service.

In recent years the Government has tried to deal with overcrowding by creating more and more prison places. It has to be said that no government in the world has ever built its way out of prison overcrowding. Sir Alexander Paterson recognised this 80 years ago when he wrote, "Wherever prisons are built, the courts will make use of them" (Ruck, 1951). One only has to read the painful exchanges when the Permanent Secretary of the Home Office and the Director General of the Prison Service gave evidence to the Public Accounts Committee in December 2005 to understand the futility of such a tactic (House of Commons 2006).

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In the medium and longer term, if prisons are to have stronger links with the communities in which they are located there will have to be organisational change.

One way of achieving this would be by dismembering the current national prison system and making prisons more locally accountable. As well as strengthening local community ownership, these new structures would reinvigorate the relationship between prisons and the courts which they serve. They would also make fiscal arrangements for prisons more transparent. At an annual cost per prisoner of over £35,000, a prison for 500 people costs the taxpayer around £17.5 million per year. When this amount is subsumed into a national budget controlled from Whitehall the implications of this cost are not immediately apparent at a local level. If, on the other hand, this spend was identified locally, as it is for schools and hospitals, there might be much closer scrutiny of whether the local taxpayer was getting value for money. If prisons were to be organised locally there would also be greater awareness that prisoners also were local, staff could be recruited locally and each prison managed in a manner which met the needs of the local community it served.

A network of smaller local prisons underpinned by integrated links to local services and with a series of two way channels of support between the prison and society would oblige us to re-examine the link

between the prisoner and the community. Prison would become an opportunity to analyse where those links were weakest and needed strengthening, where they were non-existent and needed to be created. This is not to advocate soft treatment for criminals. On the contrary, rather than being the place of boredom, monotony and escape from reality that it is so often today, prison would become a place where offenders had the opportunity to refashion their lives and connections, not by identifying and minimising personal failings, as happens at present, but by identifying their strengths and building on them. Prison would become a much more challenging place than it is at present.

It would probably be necessary to make special provision for those prisoners from whom the public needs to be protected at all costs and for those who refuse to conform to normal prison life, as Charles Clarke recognised in his PRT lecture. The number who fall into these categories is likely to be small and good prison management can ensure that it is not artificially increased. There could be a variety of options for dealing with them. One would be that the national government body which would still be required to ensure consistency of policy in penal matters should manage one maximum security prison. This prison could be used as a model of good

management for the other prisons that are managed on a local basis.

Change such as this might provide us with prisons in England and Wales which, to paraphrase the words of the current Home Secretary, are 'fit for purpose'.

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